

RECEIVED
CENTRAL FAX CENTERPATENT

SEP 11 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Vasilio VASIADIS-1
SERIAL NO.: 10/697,631 EXAMINER: M. E. BUTLER
FILED: OCTOBER 29, 2003 GROUP: 3653
FOR: DEVICE FOR HANDLING AND ORIENTING PILLS OR TABLETS
IN A PRECISE MANNER

RESPONSE TO RESTRICTION REQUIREMENTS

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement dated August 9, 2006, with the time for response being one month, or until September 9, 2006, Applicant respectfully responds as follows:

The Patent Examiner has required a selection of one of the following groups for further prosecution:

SPECIES I: The embodiment of a tablet dispense wherein the discharge assistant is a rotating wheel;

SPECIES II: Wherein the discharge assistant is a spring biased reciprocating discharge assistant.

ELECTION:

The Applicant respectfully elects with traverse Species I, drawn to a method for the embodiment of a tablet dispense wherein the discharge assistant is a rotating wheel, for further prosecution.

It is believed that the present invention is directed to a unitary inventive concept, namely, a device for handling and orientating pills or tablets in a precise manner. It is believed that any search for the species embodied in Group I would necessarily include a search for the species embodied in Group II. Thus, a simultaneous search for both groups is believed not to constitute an unreasonable search for the Patent Examiner.

In addition, it is believed that the objectives of streamlined examination and compact prosecution would be promoted if a search were conducted simultaneously for both groups. Also, the necessity of filing multiple patent applications for the same invention does not serve to promote the public interest. This is because of the extra expense that is involved, in filing fees and examination costs, as well as the burden upon the public due to the necessity of searching through a multiplicity of patent files in order to find the complete range of subject matter claimed in several different patents that could otherwise be found in one

issued patent only.

Applicant reserves the right to file a divisional patent application for the non-elected claims.

For all these reasons, it is respectfully requested that the Requirement for Restriction under 35 U.S.C. §121 be withdrawn. An action on the merits of all the claims is respectfully requested.

Respectfully submitted,
Vasilio VASIADIS-1

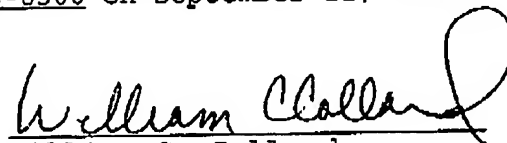


COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
:ea

Allison C. Collard, Reg. No. 22,532
Frederick J. Dorchak, Reg. No. 29,298
William C. Collard, Reg. No. 38,411
Attorneys for Applicant(s)

FACSIMILE CERTIFICATION

I hereby certify that this correspondence is being sent by facsimile transmission to the U.S.P.T.O. to Patent Examiner Michael E. Butler at Group No. 3653, to 1-571-273-8300 on September 11, 2006.


William C. Collard

R:\Patents\IVI\VASIADIS, V. - I\Restriction Response.wpd